

# 3

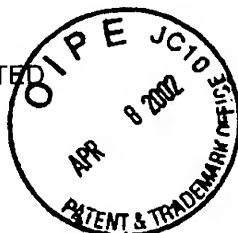


## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/034,795	12/27/2001	Michael J. Brubaker	P02971

BAUSCH & LOMB INCORPORATED  
One Bausch & Lomb Place  
Rochester, NY 14604-2701



CONFIRMATION NO. 1325  
FORMALITIES LETTER



\*OC000000007441810\*

Date Mailed: 02/07/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice MUST be returned with the reply.*

*Jessica Hernandez*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/09/2002 SDENT: 00000027 021425 10034795

01 FC:105 130.00 CH

**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No. **P02971**

In Re Application Of: **Michael J. Brubaker**

Serial No.  
**10/034,795**

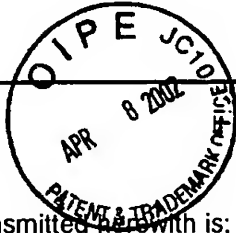
Filing Date  
**December 27, 2001**

Examiner  
**N/A**

Group Art Unit  
**1615**

Title:

**SUSTAINED RELEASE DRUG DELIVERY DEVICES WITH PREFABRICATED PERMEABLE PLUGS**



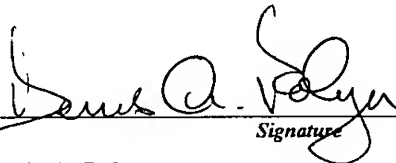
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Response to Notice to File Missing Parts  
Declaration**

in the above identified application.

- ☐ No additional fee is required.
- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **02-1425** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$130.00**
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

  
Signature

**Denis A. Polyn**  
**Registration No. 27,152**  
**Bausch & Lomb Incorporated**  
**One Bausch & Lomb Place**  
**Rochester, New York 14604-2701**  
**Telephone: (585) 338-8417**

Dated: **March 28, 2002**

I certify that this document and fee is being deposited on  
March **28**, 2002 with the U.S. Postal Service as first  
class mail under 37 C.F.R. 1.8 and is addressed to the  
Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

**Laura A. Galletto**

Typed or Printed Name of Person Mailing Correspondence

CC:

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**P02971**

In Re Application Of: **Michael J. Brubaker**

Serial No.  
**10/034,795**

Filing Date  
**December 27, 2001**

Examiner  
**N/A**

Group Art Unit  
**1615**

Invention:

**SUSTAINED RELEASE DRUG DELIVERY DEVICES WITH PREFABRICATED PERMEABLE PLUGS**



**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

2/7/02  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☐ A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ Other (list):

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**P02971**

In Re Application Of: **Michael J. Brubaker**

Serial No.  
**10/034,795**

Filing Date  
**December 27, 2001**

Examiner  
**N/A**

Group Art Unit  
**1615**

Invention:

**SUSTAINED RELEASE DRUG DELIVERY DEVICES WITH PREFABRICATED PERMEABLE PLUGS**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

☒ Completion of application fees as calculated below:

☐ Utility application filing fee

☐ Design application filing fee

☐ Total number of independent claims = \_\_\_\_\_

☐ Total number of claims = \_\_\_\_\_

☐ Multiple dependent claims

☒ Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$130.00**

☐ Petition and fee for filing by other than all the inventors or a person not the inventor

☐ Fee for processing an application filed with a non-English language specification

☐ Fee for processing and retention of application

Total completion of application fees **\$130.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

☐ One month    ☐ Two months    ☐ Three months    ☐ Four months    ☐ Five months

from: \_\_\_\_\_  
Date

until: \_\_\_\_\_  
Date

Total time extension fees \_\_\_\_\_

Total fees due **\$130.00**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
P02971

In Re Application Of: Michael J. Brubaker

Serial No.  
10/034,795

Filing Date  
December 27, 2001

Examiner  
N/A

Group Art Unit  
1615

Invention:


**SUSTAINED RELEASE DRUG DELIVERY DEVICES WITH PREFABRICATED PERMEABLE PLUGS**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$130.00 is to be paid as follows:

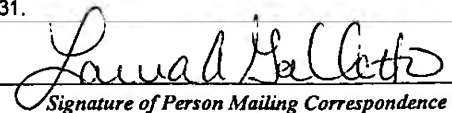
- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 02-1425  
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 02-1425  
A duplicate copy of this sheet is enclosed.

  
Signature

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Registration No. 27,152  
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Dated: March 28, 2002

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Assistant Commissioner for Patents, Washington, D.C.  
20231.

  
Signature of Person Mailing Correspondence

Laura A. Galletto

Typed or Printed Name of Person Mailing Correspondence

CC: